



RE: Wallace Yard and Spur Lines site

Lawrence, Robert

to:

Himmelhoch, Sarah (ENRD), Clifford Villa

11/05/2009 01:03 PM

Cc:

"Trueblood, Craig", "Lawrence, Robert", "Wurtzler, Gail", "Ausey Robnett"

Hide Details

From: "Lawrence, Robert" <Robert.Lawrence@dgsllaw.com>

To: "Himmelhoch, Sarah (ENRD)" <Sarah.Himmelhoch@usdoj.gov>, Clifford

Villa/R10/USEPA/US@EPA,

Cc: "Trueblood, Craig" <craig.trueblood@klgates.com>, "Lawrence, Robert"

<Robert.Lawrence@dgsllaw.com>, "Wurtzler, Gail" <Gail.Wurtzler@dgsllaw.com>, "Ausey Robnett" <ausey.robnett@painehamblen.com>

History: This message has been replied to.

Cliff and Sarah,

I spoke with Sara who informed that she expects the RR's will be submitting the revised RAD drawings to EPA on Monday, November 9. As we discussed, my understanding from Gary and Sara is that the technical issues are resolved. Were you able to confirm with Ed that the parties came to agreement yesterday on the outstanding technical issues?

Assuming we do have technical agreement, Sara thought that EPA was using November 18 (date of the status conference) as the date by which EPA would review and approve all of the final appendices to the CD. It seems unlikely in any event that Ed will be able to complete his review by November 12.

Under these circumstances, can we revisit an extension of time for UP's answer?

Bob

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**From:** Himmelhoch, Sarah (ENRD) [<mailto:Sarah.Himmelhoch@usdoj.gov>]

**Sent:** Wednesday, October 28, 2009 11:08 AM

**To:** Wurtzler, Gail; Villa.Clifford@epamail.epa.gov

**Cc:** Lawrence, Robert; Trueblood, Craig

**Subject:** RE: Wallace Yard and Spur Lines site

It would seem logical to defer submission of the litigation plan (Nov. 4) until after submission of the RR's answer (Nov. 12), at the least. We propose the litigation plan be submitted on same day as status conference (Nov. 18). If that is acceptable to the Railroads, feel free to file an unopposed motion for that extension.

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**From:** Wurtzler, Gail [<mailto:Gail.Wurtzler@dgsllaw.com>]  
**Sent:** Wednesday, October 28, 2009 1:01 PM  
**To:** Villa.Clifford@epamail.epa.gov; Himmelhoch, Sarah (ENRD)  
**Cc:** Lawrence, Robert; Trueblood, Craig  
**Subject:** Wallace Yard and Spur Lines site

Cliff and Sara,

To update my email from last evening, I understand from Gary Honeyman that a meeting with Ed Moreen. Nick Zilka and railroad technical people is now set for November 4 in Coeur d'Alene. Union Pacific is hopeful that the remaining issues can be resolved at that meeting and then that final RAD drawings can be produced and attached to the consent decree soon thereafter. In light of the date of the meeting, let's discuss deferring litigation deadlines as I suggested in my email last evening. We look forward to hearing from you. Thanks.

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